

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

K-TEC, INC., a Utah corporation,

Plaintiff,

vs.

VITA-MIX CORP., an Ohio corporation,

Defendant.

AMENDED JUDGMENT

Civil Case No. 2:06-cv-00108

Judge Tena Campbell

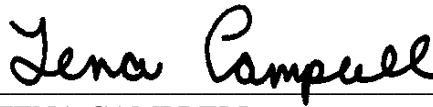
On August 24, 2010, the Court entered Judgment in favor of Plaintiff K-TEC, Inc. (“K-TEC”) and against Defendant Vita-Mix Corporation (“Vita-Mix”) as set forth in Docket No. 811, subject to any amendments deemed appropriate in view of the parties’ respective post-verdict motions. Having now ruled on the parties’ post-verdict motions (*see*, Docket Nos. 817, 871-872, 900, 907), the Court hereby enters the following **AMENDED JUDGMENT**:

- Vita-Mix has directly and literally infringed claim 4 of U.S. Patent No. 6,979,117 (“the ‘117 patent”) and claims 1 and 9 of U.S. Patent No. 7,281,842 (“the ‘842 patent”);
- Vita-Mix’s infringement of the ‘117 patent and the ‘842 patent was willful;
- Claim 4 of the ‘117 patent and claims 1 and 9 of the ‘842 patent are not invalid;
- K-TEC is awarded lost profits damages in the amount of \$8,942,123 and reasonable royalty damages in the amount of \$2,066,185;
- K-TEC is awarded enhanced damages in the amount of \$11,000,000;
- K-TEC is awarded prejudgment interest in the amount of \$1,802,671;

- K-TEC is awarded post-verdict damages in the amount of \$97,349;
- K-TEC is awarded its taxable costs in the amount of \$72,531.24;
- Vita-Mix shall pay post-judgment interest from the date of the entry of Judgment, August 24, 2010, at a rate equal to the weekly average 1-year maturity Treasury yield compounded annually pursuant to 28 U.S.C. § 1961;
- Vita-Mix shall abide by and is bound by the permanent injunction entered on January 26, 2011 as Docket No. 871.

DATED this 27th day of May, 2011.

BY THE COURT:

A handwritten signature in black ink, reading "Tena Campbell", written over a horizontal line.

TENA CAMPBELL
United States District Judge